

AMENDED IN ASSEMBLY JUNE 22, 2006

**SENATE BILL**

**No. 1574**

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**Introduced by Senator Kuehl**

February 23, 2006

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~~An act to amend Section 139.4 of the Water Code, relating to water.~~  
*An act to add Section 12805.3 to the Government Code, relating to the Sacramento-San Joaquin Delta.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1574, as amended, Kuehl. Sacramento-San Joaquin Delta.

*Existing law establishes the Resources Agency in state government and grants to that agency various supervisory powers over the state's resources.* Existing law requires the Department of Water Resources and the Department of Fish and Game to identify, evaluate, and comparatively rate the principal options available to implement certain objectives that relate to the Sacramento-San Joaquin Delta or the Sacramento and San Joaquin river systems. Existing law requires the departments to jointly report to the Legislature and the Governor the results of their evaluations and comparative ratings, as specified, no later than January 1, 2008.

~~This bill would require one of those principal options to be designed to reduce dependence on the delta for water supply through greater investments in local water supplies, water use efficiency, water recycling, demand management programs, and other actions outside the delta. The bill would substantially revise those objectives relating to the delta and Sacramento and San Joaquin river systems. The bill would require the Department of Water Resources and the Department of Fish and Game, on or before July 1, 2007, to provide a draft joint report to the Independent Science Board of the California Bay-Delta~~

~~Authority, or its successor. The bill would require that board to provide the Department of Water Resources with an independent peer review of the draft report. The bill would require the Department of Water Resources to revise the draft joint report to reflect the comments of the peer review in the joint report the Secretary of the Resources Agency to convene a committee to develop and submit to the Government and the Legislature, on or before December 31, 2008, a Blueprint for a Sustainable Sacramento-San Joaquin Delta with specified components. The bill would authorize the committee, its members, and state agencies represented on the committee to enter into specified contracts.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 12805.3 is added to the Government
- 2     Code, to read:
- 3     12805.3. (a) *The Secretary of the Resources Agency shall*
- 4     *convene a committee to develop and submit to the Governor and*
- 5     *the Legislature, on or before December 31, 2008, a Blueprint for*
- 6     *a Sustainable Sacramento-San Joaquin Delta.*
- 7     (b) *The committee shall include all of the following:*
- 8     (1) *The Secretary of the Resources Agency.*
- 9     (2) *The Secretary of the Business, Transportation and Housing*
- 10    *Agency.*
- 11    (3) *The Secretary of the Environmental Protection Agency.*
- 12    (4) *The Secretary of Food and Agriculture.*
- 13    (5) *The President of the Public Utilities Commission.*
- 14    (6) *The Director of Finance.*
- 15    (7) *The Director of the Office of Planning and Research.*
- 16    (c) *The blueprint shall address all of the following:*
- 17    (1) *Sustainable ecosystem functions, including aquatic and*
- 18    *terrestrial flora and fauna.*
- 19    (2) *Sustainable land use and land use patterns.*
- 20    (3) *Sustainable transportation uses, including streets, roads*
- 21    *and highways, and waterborne transportation.*
- 22    (4) *Sustainable utility uses, including aqueducts, pipelines,*
- 23    *and power transmission corridors.*
- 24    (5) *Sustainable water supply uses.*

1 (6) Sustainable recreation uses, including current and future  
2 recreational and tourism uses.

3 (7) Sustainable flood management strategies.

4 (8) Other aspects of sustainability deemed desirable by the  
5 committee.

6 (d) The committee shall seek input from elected officials,  
7 governmental agencies, interested parties, educational  
8 institutions, and affected local communities.

9 (e) For the purposes of carrying out this section, the  
10 committee may also seek input from other policy and resource  
11 leaders.

12 (f) All relevant state agencies, at the request of the committee,  
13 shall make available staff and resources to assist in the  
14 preparation of the blueprint.

15 (g) (1) The committee, its members, and state agencies  
16 represented on the committee may contract for consultants to  
17 assist in the preparation of the blueprint.

18 (2) Contracts entered into pursuant to paragraph (1) shall  
19 terminate no later than December 31, 2008.

20 (3) Contracts entered into pursuant to paragraph (1) are  
21 exempt from Part 2 (commencing with Section 10100) of Division  
22 2 of the Public Contract Code.

23 ~~SECTION 1. Section 139.4 of the Water Code is amended to~~  
24 ~~read:~~

25 ~~139.4. (a) The department and the Department of Fish and~~  
26 ~~Game shall determine the principal options for the delta. At least~~  
27 ~~one option shall be designed to reduce dependence on the delta~~  
28 ~~for water supply through greater investments in local water~~  
29 ~~supplies, water use efficiency, water recycling, demand~~  
30 ~~management programs, and other actions outside the delta.~~

31 ~~(b) The department shall evaluate and comparatively rate each~~  
32 ~~option determined in subdivision (a) for its ability to meet the~~  
33 ~~following objectives:~~

34 ~~(1) Improve water supply reliability to current users of delta~~  
35 ~~water.~~

36 ~~(2) Improve delta water quality for each beneficial use.~~

37 ~~(3) Reverse, stop, or reduce subsidence.~~

38 ~~(4) Protect water rights of the "area of origin."~~

39 ~~(5) Protect highways, utility facilities, and other infrastructure~~  
40 ~~located within the delta.~~

1     ~~(6) Preserve, protect, and improve delta levees.~~

2     ~~(c) The Department of Fish and Game shall evaluate and~~  
3 ~~comparatively rate each option determined in subdivision (a)~~  
4 ~~based on its consistency with the following objectives:~~

5     ~~(1) The recovery of each delta-dependent species listed as~~  
6 ~~threatened or endangered under either the California Endangered~~  
7 ~~Species Act (Chapter 1.5 (commencing with Section 2050) of~~  
8 ~~Division 3 of the Fish and Game Code) or the federal~~  
9 ~~Endangered Species Act (16 U.S.C. Sec. 1531 et seq.)~~

10    ~~(2) The restoration of historic wetlands, and aquatic and~~  
11 ~~terrestrial habitat.~~

12    ~~(d) (1) On or before July 1, 2007, the department and the~~  
13 ~~Department of Fish and Game shall provide a draft report to the~~  
14 ~~Independent Science Board of the California Bay-Delta~~  
15 ~~Authority, or its successor, with regard to the results of the~~  
16 ~~evaluation required by Section 139.2 and the comparative ratings~~  
17 ~~required by subdivisions (b) and (c). That board shall provide the~~  
18 ~~department with an independent peer review of the draft report.~~  
19 ~~The department shall revise the draft report to reflect the~~  
20 ~~comments of the peer review in its joint report pursuant to~~  
21 ~~paragraph (2).~~

22    ~~(2) On or before January 1, 2008, the department and the~~  
23 ~~Department of Fish and Game shall jointly report to the~~  
24 ~~Legislature and Governor, in writing, with regard to the results of~~  
25 ~~the evaluation required by Section 139.2 and the comparative~~  
26 ~~ratings required by subdivisions (b) and (c).~~

27    ~~(e) As used in this section, "delta" means the Sacramento-San~~  
28 ~~Joaquin Delta.~~